



that this Court may exercise subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1332, 1446.

On February 10, 2010, Defendants filed a Response which indicated that complete diversity of citizenship cannot be established under the standard set forth in *Zambelli*.

Accordingly, Defendants recognize that this case is subject to remand.

AND NOW, this 11th day of February, 2010, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this action is hereby **REMANDED FORTHWITH** to the Court of Common Pleas of Butler County, Pennsylvania

The clerk shall docket this case closed.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc: Eric S. Newman  
Email: [enewman@cohenlaw.com](mailto:enewman@cohenlaw.com)  
Fridrikh V. Shrayber, Esquire  
Email: [fshrayber@cohenlaw.com](mailto:fshrayber@cohenlaw.com)  
Kerrin M. Kowach  
Email: [kkowach@cohenlaw.com](mailto:kkowach@cohenlaw.com)

Mark A. Eck, Esquire  
Email: [meck@mdbbe.com](mailto:meck@mdbbe.com)